(ii)समिति के, इस्पात मंत्रालय की अनुदान मांगों (1996-97) संबंधी 18वें प्रतिवेदन में अंतर्विष्ट सिफारिशों / समुक्तियों पर सरकार द्वारा की गई कार्रवाई के संबंध में समिति का

सताईसवां प्रतिवेदन ;

(iii)समिति के खान मंत्रालय की अनुदान मांगों (1996-97) संबंधी 19वें प्रतिवेदन में अंतर्विष्ट सिफारिशों / समुक्तियों पर सरकार द्वारा की गई कार्रवाई के संबंध में समिति का अठाईसवां प्रतिवेदन; और

(iv)समिति के उद्योग मंत्रालय की अनुदान मांगों (1996-97) संबंधी 20वें प्रतिवेदन में अंतर्विष्ट सिफारिशों / समुक्तियों पर सरकार द्वारा की गई कार्रवाई के संबंध में समिति का उन्तीसवां प्रतिवेदन;

STATEMENTS OF GOVERNMENT ON THE REPORT OF THE DEPARTMENT-RELATED PARLIAMENTARY STANDING COMMITTEE ON DEFENCE

SHRI K.R. MALKANI ((Delhi): Madam, I lay on the Table a copy each (in English and Hindi) of the Statements showing action taken by Government on the recommendations contained in the First Report of the Committee (Twelfth Lok Sabha) on action taken on the recommendations contained in the Fifth Report of the Committee (Eleventh Lok Sabha) on Demands for Grants of Ministry of Defence for 1997-98.

REPORT OF THE JOINT COMMITTEE ON OFFICES OF PROFIT

SHRI E. BALANANDAN (Kerala): I lay on the Table a copy (in English and Hindi) of the First Report of the Joint Committee on Offices of Profit (Twelfth Lok Sabha).

RE. REPORT OF THE JOINT COMMITTEE ON ESSENTIAL COMMODITIES (AMENDMENT) BILL, 1998

SHRI ASHOK MITRA (West Bengal): Madam, this is a matter on which I have already addressed a letter to the Chairman yesterday evening. Yesterday in the House a certain paper was laid and that paper supposedly pertains to be the Report of the Joint Committee on the Essential Commodities Amendment Bill, 1998. Madam, I happen to be Member of that Joint Committee, nominated by you. At the last meeting of the Joint Committee which was held on 7th December, there was absolutely no decision about the Report to be placed in both the Houses. All that we had agreed upon was that the Chairman of the Committee should be authorised to write to the Speaker of the House indicating certain points. In view of the statement by the Minister that a more comprehensive Bill on the same subject wou'd be brought before the House, what exactly is the *locus standi* of this Joint Committee? Secondly, we also wanted the Chairman of the Committee to inform the Speaker that the time-span that has been suggested to us to complete the Report, within 48 hours, from 7th December, appeared to be somewhat difficult. We did not authorise the Chairman of the Committee to submit any Report on behalf of the Committee before the Houses. It is the usual convention that when you want to submit a Report to the House, two Members are named or nominated by the Committee who present that Report to the House, on behalf of the Committee. No such resolution was passed about naming the Members to present the Report. There was also no such resolution suggesting that the Chairman should prepare the text of the Report. If such a text had been presented, some of us would have insisted that the amendments that we were suggesting should also be appended to the Report. This is an extraordinary thing. I am very sorry to say this about a

Essential parliamentary colleague. I would say that there is a serious breach of privilege, as far as I am concerned, and, I would say, as far as this House is concerned. This Report is totally without authorisation.

The things are made to happen without authorisation. This has not been approved by the Members of the Committee. This is an extraordinary situation. Madam, I would seek your advice on this matter.

SHRI MD. SALIM (West Bengal): Madam, I have a point to submit. . ..*(Interruptions)*...

THE DEPUTY CHAIRMAN: Shri Ashok Mitra has already made an eleborate. ...*((Interruptions)*...

SHRI MD. SALIM: Madam, if you kindly see page 695 of the Practice and Procedure by Kaul and Shakdher, edited by Subhash Kashyap...*(Interruptions)*... Madam, at page 695, there is a reference to 'Unfinished work of Committees'. Shri Ashok Mitra has just now submitted that the Committee could not finish its work. Madam, I have the minutes of the Committee because they have not been laid on the Table of the House. It has been stated in the minutes that the meeting ended abruptly on 7.12.1998. यहां पर चेयरमेन साहब के भाषण के साथ कमेटी समाप्त करती है अपना काम ।

If you permit, I can quote from the minutes. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Generally, we do not. ...*(Interruptions)*...

SHRI MD. SALIM: Okay, I will not read out. Madam, yesterday was a black day in the history of the functioning of the Committees. There is a subversion of parliamentary practice and procedure. The Committee could not finish its work within the stipulated time. Madam, would you permit me to read out from Kaul & Shakdher?

THE DEPUTY CHAIRMAN: Yes.

SHRI MD. SALIM: "When a Committee is unable to complete its work before the expiration of its term..." this is the appropriate portion... "...it reports that fact to the House." Madam, there are numerous examples. This has happened in previous years also. Now, I am not going into the details. ..."In such cases, any preliminary report..." any preliminary report, not a report... "...memorandum or note that may have been prepared by tie Committee or any evidence that may have been taken by it is made available to the succeeding committee." But, h:re, as Mr. Mitra has pointed out, and as the minutes say, the Committee did net adopt the report. They say, "Since the hon. Minister, on the floor of the other House, promised that there would be a comprehensive Bill there is no need for the further functioning of this Committee." Madam, this matter should be reported to the hon. Speaker because this Committee was elected by the Lok Sabha and later on the Rajya Sabhs concurred with it, by nominating its Members. We have also been represented there. They did not nominate any one 10 present the Report. They did not authorise the Chairman to finalise the Report. But it was placed on the Table of the House and listed in the Business as if it was Report of the Joint Select Committee. It is a mockery. The Committee was elected by both the Houses; it could net finish its work within the stipulated time. The time-limit was upto 9th November, 1998. The Committee met or the 7th and finalised its note, saying "No" we cannot finish the work. Different signals are coming from different Ministers So, let it inform the House,

आपने मिनट्स पढ़ने नहीं दिए, लेकिन सभापति जी कह रहे हैं कि आज की मीटिंग ही आप अंतिम समझिए, इसके बाद मिलने की काई जरूरत नहीं है और अग्रर वहां से कोई वार्ता आई तो हम फिर आपको बुलाएंगे और यहां पर आकर के ९ तारीख की रिपोर्ट को प्लेस हो जाती हैं, ऐवींडेंस प्लेस हो जाती है और इस हाऊस के

ऑनरेबल मैम्बर भी, without being authorised by the Committee and without the Report being finalised,

यहां पर प्लेस कर देते हैं। यह एक रांग मैसेज जाएगा, मैडम।

†**شری محمد سلیم:** آپ نے منٹس پڑھنے نہیں دیئے۔ لیکن سبھا پتی جی کہہ رہے ہیں کہ آج کی میٹنگ ہی آپ آخری سمجھئے۔ اسکے بعد ملنے کی کوئی ضرورت نہیں ہے اور اگر وہاں سے کوئی وارتا آئی تو ہم پھر آپکو بلاینگےاور یہاں پر آکر کے ۹ تاریخ کی رپورٹ پلیس ہو جاتی ہے۔ ایویڈنس پلیس ہو جاتی ہے اور اس ہاؤس کےآنریبل ممبربھی....

Without being authorised by the Committee and without the Report being finalised,

†یہاں پر پلیس کر دیتے ہیں۔ یہ ایک رانگ میسیج جائیگا میڈم۔

SHRI H. HANUMANTHAPPA: (Karnataka): Added to this, yesterday, the Chairman of the Joint Select Committee appeared on the television and said, "All the opposition parties who had talked so much about this Bill inside and outside the Parliament kept quiet in the Committee. They did not raise their voice and it -was unanimously been passed."

SH. MD. SALIM: Shame, shame.

SHRI JIBON ROY (West Bengal): Shame, shame.

SHRI H. HANUMANTHAPPA: Immediately after that, the Parliamentary Affairs Minister appeared on the television and said, "No, no: we have taken a considered view of all the opposition parties. We are bringing a comprehensive Bill including the suggestions given by the Members." What is happening? The Parliamentary Committee authorised the Chairman only with regard to the Report. But the Chariman of the Committee, contrary to the decision of the Committee, appeared on the television and ridiculed the whole opposition. He said, "The opposition Members, forty Members, who were talking outside and inside the Parliament did not open their mouth in the Committe." I was also surprised as to why the opposition Members behaved like that. Now the truth has come' out. This is ridiculing all the parties and ridiculing the Parliamentary procedure. I think, a serious view should be taken. Otherwise, Parliamentary institutions whould become mockery.

SHRI PRANAB MUKHERJEE (West Bengal): Madam, respectfully, I would like to submit that it is very unfortunate.... *(Interruptions)*...

THE DEPUTY CHAIRMAN: Let us not have a full-fledged discussion on it. Let us close the matter. I know the view of the House. There cannot be two opinions, that something has been violated. Mr. Pranab Mukherjee was asked to speak. Otherwise, your Calling Attention will be delayed.

SHRI PRANAB MUKHERJEE: I will make my submission in just one minute. My submission is, normally, we never discuss the proceedings of a Committee on the floor of the House. Now, certain untoward things have happened. My most respectful submission to the Government, and to you also, would be, please intervene, call the Chairman of the Committee concerned, since it is a Joint Select Committee, and resolve the issue. The Chair has some responsiblility towards the Members who are representing this House in that Committee. They represent the whole House. If they could not speak there, it is not at all desirable. But it should not be

†[ ] Transliteration in Arabic Script

discussed here and it should be resolved by calling the Chairman and the Members concerned. This is the small submission I would like to make.

DR. BIPLAB DASGUPTA (West Bengal): This is an issue of privilege.

THE DEPUTY CHAIRMAN: Please, no addition...*(Interruptions)*.... Just one minute. Mr. Pranab Mukherjee has rightly suggested. I was also going to say that we do not discuss what happens in a Committee. More so, we do not even go on the television and talk about it. We, the Chairman and the Members, do not discuss as to what happenes in the Committees, on the floor of the House. That is the convention. Unless the report is submitted... *(Interruptions)*...

SHRI S. VIDUTHALAI VIRUMBI (Tamil Nadu): one point... ... *(Interruptions)*...

THE DEPUTY CHAIRMAN: Just one minute....*(Interruptions)*... Please do not interrupt me.... *(Interruptions)*... It is very, very unfortunate that when the Chair is speaking, Members start sneaking. It is not a good behaviour... .*Interruptions)*... No. I am not allowing you... *(Interruptions)*... Let me give my ruling. I will call the Chairman of the Committee and discuss it with him... *(Interruptions)*... We cannot reveal the minutes of the meeting here. I will call the Chairman and talk to him. That is al! Now, it is over... *(Interruptions)*....

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS, MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF PLANNING AND PROGRAMME IMPLEMENTATION (SHRI RAM NAIK): Madam, I would like to say something before you give any ruling, as the Minister of Parliamentary Affairs... *(Interruptions)*...

THE DEPUTY CHAIRMAN: It has nothing to do with the Minister of Parliamentary Affairs. The Members... *(interruptions)*.. .Just one second. Let me explain to you. The Members have some complaint against the Chairman of tlie Committee. To solve the matter properly, without making it difficult for the Minister of Parliamentary Affairs and others, I will call him, talk to him and finalise in all. Why do you want to make it public" And why do you talk about it in the House?

SHRI RAM NAIK: It has already been made public.

THE DEPUTY CHAIRMAN: Yes. It is so because he has complained... *(Interruptions)*... Members have a right to talk about it.

SHRI JIBON ROY: Madam, a serious situation has devsloped....*(Interruption)*.

THE DEPUTY CHAIRMAN. Whatever might l)e the serious situation, now we will take up the Calling Attention Motion... *(Interruption)*... I have a Calling Attentioin Motion.

SHRI JIBON ROY: Section 144 has been imposed in the State. Large-scale arrests are going on. ESMA has been imposed in Haryana. Several trade unions have declared' *i* strike for tomorrow against some policies of the Government. Some of the political parties including the allies of the Government have supported this strike.

SHRI MD. SALIM: Does it not remind us of the experience during'the emergency?

SHRI JIBON ROY: Yes, emergency strike situation has been created. Fifteen people have been arrested in Hissar. Five people have been arrested in Hodal and Panipat. Large-scale arrests are going on in Faridbad and Panipat. We apprehend arrests in entire U.P. and also in Maharashtra. ESMA is being imposed, and Section 14^ is being invoked. My suggestion is that the Central Government nust communicate a message to their Governments, wherever they are, to prevent such arrests. The Central Government must clarify the

position and they should instruct the concerned State Governments to release everybody and stop the arrears.

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

Reported Decision of Government to close down eight PSUs

THE DEPUTY CHAIRMAN: Okay. Now there is a Calling Attention Motion. Mr. Gurudas Das Gupta, you please call the attention of the Minister of Industry.

SHRI GURUDAS DAS GUPTA (West Bengal): Sir, I beg to call the attention of the Minister of Industry to the reported decision of the Government to close down eight PSUs.

THE MINISTER OF INDUSTRY (SHRI SIKANDER BAKHT): Sir, the Board for Industrial and Financial Reconstruction (BIFR) has at one stage or the other, come to prima facie/finai conclusion that it would be just and equitable to wind up 7 PSUs under the Department of Heavy Industry namely, Mining & Allied Machinery Corpn. Ltd. (MAMC), National Bicycle Corpn, of India Ltd. (NBCIL), Cycle Corporation of India Ltd. (CCIL), Bharat Ophthalmic Glass Ltd. (BOGL), National Instruments Ltd. (NIL), Weighbird India Ltd. (WIL) & Tannery and Footwear Corpn, of India Ltd. (TAFCO). In the case of Rehabilitation Industries Corpn. Ltd. (RIC), the Disinvestment Commission has recommended discontinuance of operations and announcing a package for employees. As a result, 8 PSUs are facing the prospect of being wound up.

The number of employees in these PSUs is around 10,500 with an annual wage bill of about Rs. 73 cr. Their turnover in 1997-98 was Rs. 27 cr. with a net loss of Rs. 148 cr. even after excluding Govt. interest. The accumulated loss as on 31.3.1997 was Rs. 2065 cr. Government has provided Rs. 708 cr. upto 31.3.1997 to these PSUs BIFR appoints an operating, agency (OA) for preparation of a revival scheme and sanctions a revival scheme in case a viable and acceptable scheme emerges. However, if a viable and acceptable revival plan does not emerge, BIFR comes to a prima-facie conclusion that it would be just aad equitable to wind up a company. BIFR's proceedings are quasi-judicial.

In the eventuality of winding up, compensation under the Industrial Disputes Act, equal to 15 days of wages for each completed year of service, would be too meagre to provide sustenance to the workers. With a view to mitigating the hardship of employees and to obviate the need for payment of idle wages, Government has taken a decision to extend the benefits of VRS to the employees in these PSUs. A similar decision was taken by the Government earlier in Sept. 1997 in respect of the Bharat Process and Mechanical Engineers Ltd. (BPME) where BIFR had given its final recommendation for winding up. Benefits of VRS are substantially higher, ex-gratia being equal to 45 days of pay for each completed year of srevice, and would be available immediately whereas compensation under winding up would take a long time to get settled. In addition, Government have also decided to pay along with the VRS benefits, all their entitlement towards statutory dues. The amount approved by the Govt, for these PSUs is Rs. 517 cr.

The Govt's decision to extend VRS benefits to the employees of sick PSUs provides a more humane and practical solution to the problems of sick PSUs facing the prospect of winding up. The final winding up or otherwise of these units will be as per the decision of BIFR/ Courts.

I may assure the Hon'ble Members that my Government would not stand in the way of eventual revival for any of these PSUs if a revival scheme "is sanctioned by BIFR. The Government have been supporting revival of viable